

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Donald A. Lord,

Plaintiff,

-against-

City of New York et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 1/7/2022

1:20-cv-03890 (LTS) (SDA)

ORDER OF SERVICE

STEWART D. AARON, United States Magistrate Judge:

By Order dated May 15, 2020, the Court granted Plaintiff's request to proceed *in forma pauperis*. (Order, ECF No. 5.) Plaintiff filed a Second Amended Complaint ("SAC") on August 9, 2021 (ECF No. 95). All of the defendants have been served or deemed served with the SAC, except for Pedro Cruz (incorrectly named as Pedro Crespo). (See Letter, ECF No. 107; Order, ECF No. 111.)

Because Plaintiff has been granted permission to proceed IFP, he is entitled to rely on the Court and the U.S. Marshals Service to effect service. *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) ("The officers of the court shall issue and serve all process . . . in [IFP] cases."); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on Defendant Cruz through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form ("USM-285 form") for Defendant Cruz at the following address:

Pedro Cruz
628 East 141st Street
Bronx, New York 10454

The Clerk of Court is further instructed to issue a summons and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendant Cruz.

The Clerk of Court is further requested to mail copy of this Order to the *pro se* Plaintiff.

SO ORDERED.

DATED: New York, New York
January 7, 2022

A handwritten signature in black ink, appearing to read "Stewart D. Aaron", written over a horizontal line.

STEWART D. AARON
United States Magistrate Judge